

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DENISE J. MCMAHON,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY,

Defendant.

Case No. C05-5357RJB

ORDER GRANTING MOTION  
TO WITHDRAW

This matter comes before the court on the plaintiff's Motion to Withdraw (Dkt. 11). The court has reviewed the motion, the response, and the file herein.

**I. FACTS AND DISCUSSION**

Larry James King and Frederick Henry Gautschi, III, attorneys for the plaintiff, contend that they have been unable to contact the plaintiff despite having left numerous messages at her residence and with her family members and friends. Dkt. 11 at 1. They further contend that the plaintiff has not contacted her attorneys for approximately two weeks despite being in receipt of their messages. *Id.*

Local Rule GR 2 requires that an attorney obtain leave of the court to withdraw after serving notice on the client and opposing counsel. Local Rule GR 2(f)(4). The rule further provides that the court will ordinarily permit counsel to withdraw up until sixty days before the discovery cutoff. *Id.* In this case, the discovery cutoff date is January 17, 2006. Dkt. 10.

The defendant does not contest the motion. Dkt. 12. Counsel for the plaintiff sent a copy of the motion to the plaintiff's last known address and has apparently received no response. Dkt. 11 at 2. While the discovery deadline is less than 60 days away, the court should grant the motion to withdraw as counsel

1 for the plaintiff cannot provide adequate legal services for a client with whom they are unable to make  
2 contact and communicate about the case.

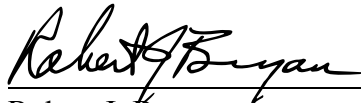
3 **II. ORDER**

4 Therefore, it is now

5 **ORDERED** that the plaintiff's Motion to Withdraw (Dkt. 11) is **GRANTED**. Plaintiff, whose last  
6 known address is 300 SW 7<sup>th</sup> Ave. #106, Battle Ground, WA 98604, will be a *pro se* party unless and until  
7 other counsel appears for her.

8 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of record  
9 and to any party appearing *pro se* at said party's last known address.

10 DATED this 6<sup>th</sup> day of December, 2005.

11   
12 Robert J. Bryan  
13 United States District Judge